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SUBJECT: U.S.-EU OSCE CONSULTS FOCUS ON RUSSIA

Classified By: USEU POLOFF TODD HUIZINGA, FOR REASONS 1.4 (B) AND (D)

1. (C) SUMMARY: The September 21 U.S.-EU OSCE consultations focused largely on Russian intransigence toward outside influence in its "near abroad." Both sides agreed that the CIS Astana Declaration is an attempt to undercut the OSCE role in human rights and democratization. Similarly, the EU reported a "growing gap" between it and Russia on the "European neighborhood" countries (Moldova, Belarus, Ukraine, Georgia), with Russia openly declaring that region to be of "more interest to Russia than to the EU." On Kazakhstan, the Kazakh desire to hold the 2009 OSCE Chairmanship should be leveraged to promote progress on democratization. On appointing OSCE Special Representatives for anti-Semitism and discrimination, the EU bottom line was that all forms of racism be equally acknowledged. U.S.-EU agreement on Russia opens the way for cooperating with the EU on initiatives to oppose Russian attempts to marginalize the OSCE. END SUMMARY.

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Participants  
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2. (U)

EU Delegation  
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Netherlands (current EU Presidency):

Frank van Beuningen, Head of Delegation, Security Policy  
Department/OSCE Desk, MFA Hague  
Mark Verstedden, Senior Policy Office OSCE, MFA Hague

Luxembourg (successor to Netherlands in EU Presidency):

Ronald Mayer, Ambassador to the Council of Europe  
Beatrice Kirsch, Deputy Permanent Representative to the OSCE  
Fabienne Rossler, Attache, MFA

European Commission  
Gilbert Dubois, Head of Unit for OSCE and Council of Europe,  
DG for External Relations  
Mario Mariani, OSCE Desk, DG for External Relations  
Louise Head, Adviser, DG for External Relations  
Nicole Taillefer, EC Delegation to the internal organizations  
in Vienna  
Raul de Luzenberger, Moldova Desk, DG for External Relations  
Konstandinos Vardakis, Kazakhstan Desk, DG External Relations  
Robert Liddell, Caucasus and Central Asia Unit, DG for  
External Relations

EU Council Secretariat  
Alison Weston, Administrator, OSCE & CoE Desk Officer, (DG E  
IX)  
Carl Hartzell, Moldova/Belarus Desk Officer, Policy Unit

U.S. Delegation  
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Stephan M. Minikes, Ambassador to the OSCE  
Bruce Connuck, Political Counselor, USOSCE Vienna  
Steven Steger, Political Officer, USOSCE Vienna  
Todd Huizinga, Political Officer, USEU Brussels  
Sean Kimball, Intern, USEU Brussels

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ASTANA DECLARATION: A RUSSIAN TRIAL BALLOON?  
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3. (C) USOSCE Ambassador Minikes characterized the CIS Astana Declaration of September 15 as a Russian "trial balloon" to see how far Russia could go in perverting OSCE priorities and principles in its own interests. He warned that not responding would encourage Russia to go farther in weakening OSCE commitment to promoting human rights and democratization in the former Soviet space. Dutch OSCE Office Director Frank van Beuningen agreed, observing that Russian frustration with the OSCE had been building for a long time. He said Astana did not bode well for achieving consensus with Russia and other CIS states on important issues at the upcoming OSCE Ministerial in Sofia. European Commission Head of Unit for OSCE Affairs Gilbert Dubois pointed out that the Astana Declaration explicitly

characterized itself as having been built upon the July Moscow Statement, which forcefully called on the OSCE to observe "(the fundamental Helsinki principle of) non-interference in internal affairs...of States."

14. (C) USOSCE PolCouns Connuck said that the Moscow and Astana declarations substantively contained nothing new -- the documents' themes pulled together what Russia had pushing for day-in, day-out in Vienna for a long time. Connuck also pointed out that the Astana Declaration's language on reinforcing OSCE efforts against terrorism by "reducing OSCE expenditures in the highest-cost-prone sectors" was a thinly veiled attempt to undercut OSCE field missions.

15. (C) Minikes said that the Russians had traction on their attempts to marginalize the OSCE because not all OSCE members bought into OSCE principles on human rights and democracy. Minikes said, and the EU agreed, that the U.S. and EU needed to decide when to say "enough." One way to do so might be some sort of explicit recommitment to OSCE principles at head-of-state level.

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RUSSIA AND SOUTH OSSETIA, GEORGIA/CHECHNYA BMO  
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16. (C) Van Beuningen reported that the EU was looking for ways to "internationalize" negotiations on South Ossetia, but that Astana was yet another sign that Russia was unlikely to agree to such internationalization (neither in South Ossetia, nor in Moldova). Minikes reported that, in South Ossetia, the Russian flag was now flying alongside the South Ossetian flag. Van Beuningen remarked on a recent radio interview in which South Ossetian leader Eduard Kokoity said South Ossetia would never be a part of Georgia. The atmosphere, he said, was worsening, and Russia was probably playing a role in those developments.

17. (C) According to van Beuningen, if the mandate for the Georgia/Chechnya Border Monitoring Operation (BMO) is not extended beyond December 31, the EU will consider, with partners such as the U.S., another type of international presence. Minikes said, with instability in the region even worse after Beslan, the BMO must continue; the U.S., EU, and OSCE must engage Moscow to that end.

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MOLDOVA: A RUSSIAN 'NYET' TO THE EU  
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18. (C) Ronald Mayer, the Ambassador of Luxembourg to the Council of Europe, reported that Moldova discussions at a September 20 EU Political and Security Committee Meeting with Russia had been "strikingly negative." Russia rejected any EU role in five-sided talks on Transnistria; a proposed resolution to the schools crisis; and the withdrawal of ammunition from Moldova in line with the Istanbul commitments. (According to Mayer, the Russians said they "need the ammunition" in the area.) Carl Hartzell, Moldova/Belarus Desk Officer in the Policy Unit of the EU Council Secretariat, confirmed that Russian resistance to EU influence in the region through tools such as the European Neighborhood Policy was "becoming greater every day." Hartzell said the EU was facing "a tremendous challenge" -- a "growing gap" between the EU and Russia on dealing with an area that for both of them was the near abroad. Hartzell said the EU would continue to work with the U.S. to create a "broader international platform" to deal with Moldova/Transnistria. He said the EU was deliberating whether the Security and Stability Pact for Moldova proposal might be a basis for progress.

19. (C) European Commission Moldova Desk Officer Raul de Luzenberger said the "double-checking" proposal for Moldovan steel was in the final stages of preparation. He said the EU should have a common proposal by the end of September, after which there would be an exchange of letters with Moldova and the system would be put in place. On border monitoring, de Luzenberger said the European Commission was ready to participate, but that the border first had to be demarcated. Hartzell said the EU would like to compare notes with the U.S. on possible further measures, such as freezing assets, to "make the status quo uncomfortable" for Transnistrian leaders. Van Beuningen said the EU wanted the schools crisis solved before resumption of the five-sided talks. Hartzell asked rhetorically whether it would be wise to invite Russia to such talks, given the risk that Russia would reject the offer.

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BELARUS: EU UNDECIDED ON ODIHR REFERENDUM OBSERVATION  
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10. (C) Mayer said the EU was divided on whether the OSCE Office for Democratic Institutions and Human Rights (ODIHR) should accept Belarus' invitation to observe the October 17

referendum on eliminating presidential term limits, because of concern about possibly "legitimizing" the referendum. It would therefore be unlikely that there could be an EU decision to push ODIHR to observe the referendum. Minikes responded that the OSCE would not be able to comment authoritatively on the referendum if ODIHR did not accept the invitation.

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KAZAKHSTAN 2009 CHAIRMAN-IN-OFFICE CANDIDACY  
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11. (C) Robert Liddell of the Caucasus and Central Asia Unit of the European Commission expressed concern over the fairness of the September 19 elections in Kazakhstan, but said that the EU nevertheless saw Kazakhstan as the most viable leader in Central Asia, a region that needed leadership. Konstandinos Vardakis, European Commission Kazakhstan Desk Officer, said the EU expected Kazakhstan to be exporting as much oil in 2012 as Russia does today. Therefore, it was in the EU's vital interest to promote democracy and stability there. Minikes proposed that the U.S. and EU look at ways to cooperate in leveraging the Kazakh candidacy for OSCE CiO in 2009 to push for substantial progress on human rights and democracy. Minikes suggested meeting with the Kazakhs regularly, not to single them out, but to help them. Connuck reported that the Kazakhs at the working level in Vienna believe they have enough momentum for 2009 as to make their candidacy unstoppable, partially because there has not been a concerted effort to leverage the Kazakh CiO candidacy. The Kazakhs and some other CIS states, he said, are convinced that they hold the U.S. and EU hostage on this issue, not the other way around. Van Beuningen agreed that action on leveraging the Kazakh candidacy had to come soon, or it would be too late.

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CHOOSING A NEW OSCE SECRETARY GENERAL  
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12. (C) Van Beuningen said that there was no EU candidate to succeed OSCE Secretary General Jan Kubis as of yet. Van Beuningen expressed annoyance at Bulgarian FM and OSCE CiO Passy's letter in which he created a "fait accompli" by stating that the SecGen candidate should have a "political profile." Minikes stressed that the candidate for OSCE SecGen should be equal in stature to the NATO SecGen. Van Beuningen agreed that a high profile figure would bring in a large network with access to other key leaders, but cautioned that the issue for the EU was not just the SecGen, but the leadership of the OSCE and the role of the CiO in providing political direction.

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OSCE REFORM AND SCALES OF ASSESSMENT  
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13. (C) Both sides agreed that reform could not be accomplished through the creation of more rules and that, while they were open to discussion, they thought reform should be done carefully, not with undue urgency. Underlining U.S.-EU concerns that some OSCE members wanted to use OSCE reform to undercut field missions, Connuck reported that CIS countries might be considering letting the mandates of OSCE field missions in the CIS expire as of January 1 (which they can do by withholding consensus on mandate renewals at the end of the year). On scales of assessment, Van Beuningen said the OSCE should consider the possibility of how to prevent the organization from coming to a standstill in the event of failure to come to a timely agreement. He said CiO Passy's presentation to Dutch FM Bernard Bot of the "Chair's Guess" paper so irritated Bot that it had become more difficult to find a solution to the scales of assessment issue at a political level. Van Beuningen affirmed that the EU supported the U.S. position on having two scales, and Nicole Van Taillefer from the Commission Delegation to the OSCE reported that the Russians had again insisted on one scale in a September 20 meeting in Vienna.

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SPECIAL REPS ON ANTI-SEMITISM, RACISM, XENOPHOBIA  
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14. (C) Van Beuningen said the EU's bottom line was that all forms of discrimination needed to be combated. Whether there should be one, two or three envoys was undecided, he said. The EU agreed with the U.S. that the special representative(s) position(s) should be temporary appointments and modeled on the Maarti Ahtisaari position of OSCE Special Rep for Central Asia -- no bureaucracy and no additional OSCE staff.

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KOSOVO FOLLOW-UP: EUROPEAN CONVENTION ON TORTURE  
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15. (U) Mayer asked whether the U.S. could hasten resolution, via NATO, of the Council of Europe (CoE) and Kosovo Stabilization Force (KFOR) negotiations on implementation in Kosovo of the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment. Serbia and Montenegro committed itself to implementing the Convention when it joined the CoE in April 2003, but implementation in Kosovo is subject to negotiations with KFOR. The U.S. side promised to pass the request on.

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COMMENT: U.S.-EU CONSENSUS ON RUSSIA  
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16. (C) These consultations affirmed a U.S.-EU convergence of views on the gravity of Russia's campaign to marginalize the OSCE and reassert Russian dominance in the CIS region. Both sides agreed also that U.S. and EU inaction would encourage Russia to push even further. The EU agreed in principle to explore the proposal of publicly recommitting the OSCE to its founding principles (see para 5) -- opening the way for U.S.-EU common action in making clear our commitment to promoting human rights and democracy throughout the OSCE region. END COMMENT.

17. (U) USOSCE has cleared this message.

MCKINLEY